

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Carlo M. Croce and George A. Calin

Application No.: 10/530,792

Group: 1734

Filed: May 13, 2005

Examiner: Not assigned

Confirmation No.: 2613

For: NOVEL TUMOR SUPPRESSOR GENE AND COMPOSITIONS AND
METHODS FOR MAKING AND USING THE SAME

| | |
|---|--------------------|
| CERTIFICATE OF MAILING OR TRANSMISSION | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on: | |
| 4/2/07 | Angelina Bellanton |
| Date | Signature |
| Angelina Bellanton | |
| Typed or printed name of person signing certificate | |

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Second Supplemental Information Disclosure Statement is submitted:

- ☒ under 37 CFR 1.97(b), or
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
☐ a Statement under 37 CFR 1.97(e), as checked below, or
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
☐ a Statement under 37 CFR 1.97(e), as checked below, and
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):
Applicant requests that the IDS and cited reference(s) be placed in the application file.
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☒ Copies of the cited references, B1-B3, C18 and C19, are enclosed.
- ☐ Copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- ☐ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.
- ☒ The listed reference, B3, was cited in the enclosed International Search Report, and the listed references, B1, B2, C18 and C19, were cited in the enclosed Supplementary European Search Report, in counterpart foreign applications.
- ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
- ☐ the enclosed English language abstract.



Applicant requests that the following non-published pending applications be considered:

(Affix a label or apply the stamp "Non-Published IDS Reference - Do Not Scan" to the front of each unpublished pending appl'n.)

Examiner's
Initials

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date



A copy of each above-cited application, including the current claims, is enclosed, except any application filed on or after June 30, 2003, which has been scanned into the PTO's Image File Wrapper (IFW) system and is available to the examiner.



A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:



A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.



Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.

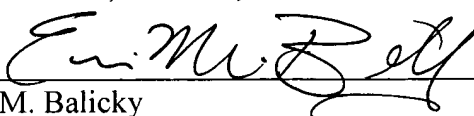


Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By



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Dated:

April 2, 2007

APR 09 2007

April 2, 2007

(Use several sheets if necessary)

3589.1015-008

10/530,792

Carlo M. Croce

May 13, 2005

Not assigned

2613

1734

[illegible]

DATE CONSIDERED

April 2, 2007

(Use several sheets if necessary)

FIRST NAMED INVENTOR
Carlo M. Croce

FILING DATE
May 13, 2005

EXAMINER
Not assigned

CONFIRMATION NO.
2613

GROUP
1734

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| C18 | EBI Accession No. AZ824519, 2M0099109F Mouse 10kb Plasmid UUGC1M Library Mus Musculus Genomic Clone UUGC2M0099109 F, DNA Sequence, [online], February 2001 [retrieved on 2006-08-05]. Retrieved from the Internet. <URL: http://www.ebi.ac.uk .> |
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| C19 | EBI Accession No. AZ401766, 1M0168008R Mouse 10kb Plasmid UUGC1M Library Mus Musculus Genomic Clone UUGC1M0168008 R, DNA Sequence, [online], October 2000. [retrieved on 2006-08-05]. Retrieved from the Internet. <URL: http://www.ebi.ac.uk .> |
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EXAMINER

DATE CONSIDERED